6456837/2022/OP-WDC01

WCD&SC-13021/11/2017-PROG I SEC-WCD&SC (233398)

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Dept., for WCDA&SCs - Disciplinary proceedings initiated against Sri. K.Suryanarayana Murthy, Regional Inspector of Probation (Retired), Visakhapatnam - Punishment of 5% cut in pension for a period of five (5) years, besides treating the suspension period from 03.04.2009 to 28.09.2010 as "Not on duty" - W.P.No.13912/2021 of Hon'ble High Court of Andhra Pradesh, Amaravati - Orders - Issued.

DEPT., FOR WOMEN, CHILDREN,DIFFERENTLY ABLED & SENIOR CITIZENS (PROG.I)

G.O.Rt.No.137 Dated:07.10.2022.
Read the following:-

1. G.O.Rt.No.93, Dept., for WCDA&SCs(Prog.I), Dated:09.05.2016.
2.Orders dated:02.08.2022 in W.P.No.13912/2021 of Hon'ble High Court of Andhra Pradesh, Amaravati.
3. Lr.No.E1/76/2021 of the Joint Director (FAC), Dept., of JW, CS & WSC, Vijayawada, Dated:21.09.2022.

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ORDER:-

In the GO 1st read above, under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule-20 of A.P.C.S. (CC&A) Rules, 1991, Government have imposed the punishment of 5% cut in pension for a period of five (5) years, besides treating the suspension period from 03.04.2009 to 28.09.2010 as "Not on duty" under FR-54 B against Sri. K.Suryanarayana Murthy, former Superintendent, Children Home for Boys, Eluru, now Regional Inspector of Probation (Retired), Visakhapatnam.

2. Aggrieved with the above orders, Sri. K.Suryanarayana Murthy, Regional Inspector of Probation (Retired), Visakhapatnam has filed a W.P.No.13912/2021 before the Hon'ble High Court of A.P. In this W.P., the Hon'ble High Court of Andhra Pradesh has passed the following order on 02.08.2022:-

> **Par (8)** However, this court finds that the deduction 5% of the pensionary benefits of the petitioner is unreasonable on some trifle issues like case of the petitioner is highly illegal and arbitrary and the respondents failed to give proper reasoning involved in the issue or failed to pass appropriate order as per direction of the learned Tribunal and in view of lacunae on the part of the respondents, the petitioner cannot be penalized. Hence it is a fit case to issue a writ of mandamus in favour of the petitioner.

P.T.O.

Para (9) Accordingly the Writ Petition is allowed while directing the respondents to pay what are the amounts deducted as per G.O.Ms.No.93, dated 09.05.2016 from the pension of the petitioner, within a period of four (04) weeks from the date of receipt of a copy of this order. No costs.

3. In view of the above orders of the Hon'ble High Court of Andhra Pradesh, Amaravati in the reference 2nd read above and in the circumstances stated by the Joint Director (FAC), Dept., of JW, CS & WSC, Vijayawada in the reference 3rd read above, after careful examination of the entire matter, Government hereby order to implement the orders dated:02.08.2022 of Hon'ble High Court of Andhra Pradesh, Amaravati in W.P.No.13912/2021.

4. The Joint Director (FAC), Dept., of JW, CS & WSC, Vijayawada shall take further necessary action in the matter under intimation to the Government and G.P for Services, Hon'ble A.P. High Court.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R.ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
✓The Joint Director (FAC),
Dept., of JW, CS &WSC,
Vijayawada.
Sri. K.Suryanarayana Murthy,
Regional Inspector of Probation (Retired),
Visakhapatnam through O/o the Dept., of JW,CS &WSC,
Vijayawada.
Copy to:-
The Accountant General (AP) Vijayawada.
The Secretary,
A.P.Public Service Commission, Vijayawada.
The Pay & Accounts Officer, (AP),
Ibrahimpatnam, Vijayawada.
The Director of Treasuries & Accounts, (AP)
Ibrahimpatnam, Vijayawada.
The P.S.to Hon'ble Minister for WD&CW
The P.S.to Prl.Secretary to Govt.,
Dept., for WCDA&SCs.
The Govt. Pleader for WD&CW, A.P.
SF/SC.

// FORWARDED:: BY ORDER//

SECTION OFFICER

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(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R.ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
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Vijayawada.
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Visakhapatnam through O/o the Dept., of JW,CS &WSC,
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Ibrahimpatnam, Vijayawada.
The Director of Treasuries & Accounts, (AP)
Ibrahimpatnam, Vijayawada.
The P.S.to Hon'ble Minister for WD&CW
The P.S.to Prl.Secretary to Govt.,
Dept., for WCDA&SCs.
The Govt. Pleader for WD&CW, A.P.
SF/SC.

// FORWARDED:: BY ORDER//

SECTION OFFICER